Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/594,876	SINN, HANNSJORG	
Examiner	Art Unit	
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1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidant), or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) ☐ The period for reply expires on: (1) the mailing date of the final rejection. b) ☑ The period for reply expires on: (1) the mailing date of the final rejection. carmient Note: if los 1 is decked, check either box (a) or (6), ONLY-CHECK BX (b) (WHEN THE FIRST REPLY-WAS FILED WITHIN TWO Examines Note: if los 1 is decked, check either box (a) or (6), ONLY-CHECK BX (b) (WHEN THE FIRST REPLY-WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY-WAS FILED WITHIN TWO MONTHS (a) and the appropriate extension fee under 37 CFR 1.17(a) is calculated from (1) the expiration of the set of the set of the first one and the set of	
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a) The period for reply expiresmonths from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked. Any reply received period and the search of the final rejection of the final rejection of the final rejection for the search of the final rejection for the final rejection and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal, and/or search (see 37 CFR 1.116 and 41.33(a)). NOTICE See attachment (see 37 CFR 1.116 and 41.33(a)). NOTICE See attachment (see 37 CFR 1.116	application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time
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 3.	Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).
appeal; and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See attachment. (See 37 CFR 1.116 and 41.33(a)). 4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. ☐ Applicant's reply has overcome the following rejection(s): 6. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 7. ☑ For purposes of appeal, the proposed amendment(s): a) ☑ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: MONE. Claim(s) objected to: NONE. Claim(s) withdrawn from consideration: NONE. AFFIDAVIT OR OTHER EVIDENCE 8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. ☑ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attachment. 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).	3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below);
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	13. Other: